

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION THIS DOCUMENT RELATES TO: ETHICON WAVE 1 CASES LISTED IN EXHIBIT A	Master File No. 2:12-MD-02327 MDL No. 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
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**PLAINTIFFS' DAUBERT MOTION TO EXCLUDE OR TO LIMIT
THE OPINIONS AND TESTIMONY OF TERRI A. LONGACRE, M.D.**

COMES NOW Ethicon Wave 1 Plaintiffs listed in Exhibit A, by and through the undersigned attorneys, and file Plaintiffs' *Daubert* Motion to Exclude, or in the Alternative, to Limit the Opinions and Testimony of Terri A. Longacre, M.D. and would respectfully show the Court that Dr. Longacre should be excluded for the following reasons:

1. Dr. Longacre is not qualified to offer general opinions on transvaginal mesh devices, including opinions related to the design and physical properties of Ethicon's TVT, TVT-O, TVT-Exact, TVT-Abbrevio, Prolift and Prosima devices, complications associated with these products compared to other surgical options to treat SUI or POP conditions and all other opinions related to the design and performance of these products or positions statements concerning the safety of these devices made by the FDA or opinions that polypropylene slings products are the standard of care and state of the art for treating stress urinary incontinence;
2. Dr. Longacre is not qualified to criticize the opinions of Dr. Iakovlev; and

3. Dr. Longacre opinions are unreliable because she failed to use a reliable, scientific methodology when formulating his opinions in these cases.
4. In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the following attached exhibits:
 - a. A true copy of Dr. Terri A. Longacre's expert report dated March 2, 2016, defendants' disclosed pathology expert, is attached hereto as Exhibit B.
 - b. A true copy of the Deposition of Dr. Terri A. Longacre dated December 19, 2016, is attached hereto as Exhibit C.
 - c. A true copy of *Wagner v. Hesston Corp.*, 2005 WL 1540135 (D. Minn. June 30, 2005) is attached hereto as Exhibit D.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that the Court grant their *Daubert* Motion to Exclude Or To Limit The Opinions and Testimony of Terri A. Longacre, M.D. Additionally, Plaintiffs request all other and further relief to which they may be justly entitled.

Dated: April 21, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing document on April 21, 2016, using the Court's CM-ECF filing system, thereby sending notice of the filing to all counsel of record in this matter.

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